

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

**DECISION AND ORDER**

CARLIQUE DEBERRY,

16-CR-142S

Defendant.

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1. On December 20, 2017, the Defendant Carlique DeBerry pled guilty to Count 1 of the Indictment (Docket No. 1) charging a violation of Title 21 U.S.C. 841(a)(1) and 841(b)(1)(C) (distribution of fentanyl causing death).

2. On December 20, 2017, the Honorable Michael J. Roemer, United States Magistrate Judge, filed a Report and Recommendation (Docket No. 31) recommending that Defendant's plea of guilty be accepted and the Defendant adjudicated guilty.

3. This Court has not received objections to the Report and Recommendation in accordance with 28 U.S.C. §636(b)(1) and Local Rule 59(b).

4. This Court has carefully reviewed *de novo* Judge Roemer's December 20, 2017, Report and Recommendation, the Plea Agreement, the Indictment, the digital FTR recording of the proceeding and the applicable law. Upon due consideration, this Court finds no legal or factual error in Judge Roemer's Report and Recommendation, and will accept Judge Roemer's recommendation that Defendant's plea of guilty be accepted and that the Defendant be adjudicated guilty as charged.

IT HEREBY IS ORDERED, that this Court accepts Judge Roemer's December 20, 2017, Report and Recommendation (Docket No. 31) in its entirety, including the authorities cited and the reasons given therein.

FURTHER, that the plea of guilty of Defendant Carlique DeBerry is accepted, and he is now adjudged guilty of Title 21 U.S.C. §841(a)(1) and 841(b)(1)(C).

SO ORDERED.

Dated: January 23, 2018  
Buffalo, New York

/s/William M. Skretny  
WILLIAM M. SKRETNY  
United States District Judge